

Serial No. 10/603,487

Amendment in Resp. to Off. Action of Aug. 22, 2006

UTILITY PATENT

B&D No. JK01493

REMARKS

Applicants have canceled Claim 35.

Currently in the above-identified application therefore are Claims 50 and 55-58.

The Examiner has rejected Claims 50 and 55-58 under 35 USC § 112, first paragraph, for failing to comply with the enablement requirement. In particular, the Examiner notes that "it is unclear how the rotatable shaft can move 'towards the front portion of the miter base and towards the rear portion' since 'gears 50 and 30 are fixedly attached to both ends of the shaft 40 [and thus] the shaft 40 cannot be pulled toward the front portion of the miter saw.'" This rejection is respectfully traversed.

Applicants admit that gears 30 and 50 are fixedly attached to both ends of the shaft 40, allowing shaft to translate the rotational angle of the bevel housing in the rear portion to the bevel indicator in the front portion.¹ Spec., para. 0016.

As previously explained, arm 90 has cammed surfaces 110 which push against output translation gear 50, moving it towards the front of the miter saw. Spec., para. 0028. Since output translation gear 50 is fixedly attached to transverse shaft 40, shaft 40 is also moved towards the front portion of the miter base. When the pressure from cammed surfaces 110

¹ Applicants do not understand why the Examiner believes that tolerance exists between the shaft 40 and gears 30, 50 allowing any sliding motion therebetween, as the Specification explicitly states that "[a]t the rear end of the transverse shaft 40, an input translation gear 30 is secured by securing means 32, 33" and that "[a]t the front end of the transverse shaft 40, an output translation gear 50 is secured by securing means, such as a pin 52 and a washer 51." Spec., para. 0016 and FIG. 1.

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against the output translation gear 50, the gear 50 (and thus the shaft 40) move towards the rear portion.


Accordingly, the Specification properly enables a person skilled in the art to make the invention of Claims 50 and 55-58. In other words, Claims 50 and 55-58 are enabled by the Specification.

The Examiner has rejected Claim 35 under 35 USC § 103(a) US Publication No. 2003/0110914 ("Brazell") in view of US Patent No. 4,805,505 ("Cantlin"). This rejection is rendered moot as Applicants have canceled Claim 35.

In view of the foregoing, all the claims are patentable and the application is believed to be in condition for formal allowance. Reconsideration of the application and allowance of Claims 50 and 55-58 are respectfully requested.

No fee is due for the present amendment. Nevertheless, the Commissioner is authorized to charge payment of any fees due in processing this response, or credit any overpayment to Deposit Account No. 02-2548.

Respectfully submitted,



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